UNITED STATES PATENT AND TRADEMARK OFFICE

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/422,339	10/21/1999	THOMAS G. WOOLSTON	11092-012001	5419

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FISH & RICHARDSON, PC		BROWN, TIMOTHY M
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DATE MAILED: 03/24/2004

Please find below and/or attached an Office communication concerning this application or proceeding.

PTO-90C (Rev. 10/03)

-- *The MAILING DATE of this communication app ars on th cover sh t with the correspondenc address* --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE <u>3</u> MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.
- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

1)☒ Responsive to communication(s) filed on _____.

2a)☒ This action is **FINAL**.   2b)☐ This action is non-final.

3)☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4)☐ Claim(s) _____ is/are pending in the application.

    4a) Of the above claim(s) _____ is/are withdrawn from consideration.

5)☐ Claim(s) _____ is/are allowed.

6)☐ Claim(s) _____ is/are rejected.

7)☐ Claim(s) _____ is/are objected to.

8)☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9)☐ The specification is objected to by the Examiner.

10)☐ The drawing(s) filed on _____ is/are: a)☐ accepted or b)☐ objected to by the Examiner.

    Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

    Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).

11)☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

12)☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

    a)☐ All   b)☐ Some * c)☐ None of:

        1.☐ Certified copies of the priority documents have been received.

        2.☐ Certified copies of the priority documents have been received in Application No. _____.

        3.☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

    * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

1)☒ Notice of References Cited (PTO-892)

2)☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)

3)☐ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
    Paper No(s)/Mail Date _____.

4)☐ Interview Summary (PTO-413)
    Paper No(s)/Mail Date. _____ .

5)☐ Notice of Informal Patent Application (PTO-152)

6)☐ Other: _____.

DETAILED ACTION

This Final Office Action is responsive to Applicants' amendment submitted
December 9, 2003.

Response to Arguments

Applicants' arguments are moot in view of the new grounds of rejection.

Claim Rejections - 35 USC § 103

The text of those sections of Title 35, U.S. Code not included in this action can

be found in a prior Office action.

Claims 1, 3, 4, 7, 27, 29, 30, 48, 49, 51 and 52 are rejected under 35 U.S.C.

103(a) as being unpatentable over HFD[1] in view of Net Nanny[2] and Robb (Robb,

Joanne "Invasion of the Webcasters" PC World, Vol. 15, No. 9 (September 1997)

p. 204).

Regarding claim 1, HFD teaches a computer-implemented method for

encouraging users of a computer network to access dynamic pricing information on the

computer network, the method comprising distributing to one or more users of the

computer network a modular computer program that presents dynamic pricing

information collected from the computer network (page 1, paragraphs 5 and 9) and

presenting to the one or more users of the modular computer program an interactive

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[1] "GE Commits to Quick Response: Dealers get opportunity to check firm's stock around the clock;
deliveries within 48 hours" HFD The Weekly Home Furnishings Newspaper" (August 5, 1991), p. 105.
[2] "Free Net Nanny Filtering Software Offered With Norton Utilities 4.0 During Six Week On-line Retail
Promotion" PR Newswire (May 26, 1999), p. 7807.

visual indication of a user-attractive resource available on the computer network (page

1, paragraphs 7, 9 and 11; and page 2, paragraph 3).

HFD does not expressly teach distributing the modular computer program over a

computer network. However, Net Nanny teaches downloading software over the

Internet (page 1). Downloading software over the Internet would enable HFD's dealer

customers to obtain its pricing software almost instantaneously. Therefore, at the time

of Applicants' invention, it would have been obvious to one of ordinary skill in the art, to

modify HFD to include distributing the modular computer program over a computer

network as taught by Net Nanny.

HFD does not expressly teach providing an incentive, independent of the

dynamic pricing information, to use the modular computer program. However, Net

Nanny discloses promoting the sale of a selected software product by offering free

software that is unrelated to the selected software product (page 1). Offering a

collateral benefit, such as free inventory management software, would enable HFD to

increase sales by making its software more appealing. Therefore, at the time of

Applicants' invention, it would have been obvious to one of ordinary skill in the art, to

modify HFD to include providing an incentive, independent of the dynamic pricing

information, to use the modular computer program.

HFD and Net Nanny do not expressly teach displaying a scrolling stream.

However, Robb overcomes this deficiency through its disclosure of a scrolling ticker that

displays data gathered from a variety of online sources (page 4, lines 45-60; and page

3, lines 1-13). Displaying HFD's real-time pricing information using a scrolling display

would continuously inform users of changes in pricing data. Therefore, at the time of Applicants' invention, at the time of Applicants' invention, it would have been obvious to modify HFD and Net Nanny to include Robb's scrolling data stream display.

HFD and Net Nanny do not expressly teach "wherein the interactive visual indication of the user-attractive resource is visually embedded within the scrolling stream of dynamic pricing information displayed by the modular computer program." However, Robb further teaches a scrolling stream of data having hyperlinks embedded therein wherein a user may select one of the embedded hyperlinks to obtain more detailed information. At the time of Applicants' invention, it would have been obvious to one of ordinary skill in the art, to modify HFD and Net Nanny to include the teachings of Robb. Modifying HFD and Net Nanny with the teachings of Robb would provide users with a constant data feed, while permitting them to obtain detailed information on items from the scrolling stream.

Regarding claim 3, HFD further teaches collecting dynamic pricing information from the computer network (page 1, paragraph 9).

Regarding claim 7, HFD teaches distributing the modular computer program by enabling users of the computer network to pull a copy of the modular computer program (page 1, paragraph 2).

Regarding claim 27, HFD teaches a computer-implemented system for encouraging users of a computer network to access dynamic pricing information on the computer network, the system comprising a plurality of sources of dynamic pricing information (page 1, paragraph 9), a modular computer program comprising instructions

to perform the operations of receiving dynamic pricing information from the plurality of

dynamic pricing information sources (page 1, paragraph 9), displaying the received

dynamic pricing information to a user of the modular computer program (page 1,

paragraphs 2, 7 and 9) and presenting to the user of the modular computer program an

interactive visual indication of a user-attractive resource available on the computer

network (page 1, paragraphs 7 and 11; and page 2, paragraph 3).

HFD does not expressly teach providing an incentive, independent of the

dynamic pricing information, to use the modular computer program. However, Net

Nanny discloses this limitation as discussed under claim 1 above.

HFD and Net Nanny do not expressly teach (1) a scrolling stream display, and

(2) "wherein the interactive visual indication of the user-attractive resource is visually

embedded within the scrolling stream of dynamic pricing information displayed by the

modular computer program." However, Robb overcomes this deficiency as discussed

under claim 1 above.

Regarding claim 48, HFD teaches a computer-implemented method for

encouraging users of a computer network to access a dynamic pricing system, the

method comprising presenting a user-interface abstraction that displays dynamic pricing

information collected from a plurality of sources the computer network and displays an

interactive visual indication of a user-attractive resource available on the computer

network (page 1, paragraphs 5, 7, 9 and 11; and page 2, paragraph 3).

HFD does not expressly teach providing an incentive, independent of the dynamic pricing information, to use the modular computer program. However, Net Nanny discloses this limitation as discussed under claim 1 above.

HFD and Net Nanny do not expressly teach (1) a scrolling stream display, and (2) "wherein the interactive visual indication of the user-attractive resource is visually embedded within the scrolling stream of dynamic pricing information displayed by the modular computer program." However, Robb overcomes this deficiency as discussed under claim 1 above.

Regarding claims 4, 30 and 52, HFD further teaches the use of the Internet as the computer network upon which the applicant's system and method depends (page 1, paragraphs 2 and 5).

Regarding claims 29 and 51, HFD further teaches a modular computer program comprising instructions to receive dynamic pricing information from the computer network (page 1, paragraph 9).

Regarding claim 49, HFD teaches computer software, embodied in a tangible medium and/or in a propagated carrier signal, for encouraging users of a computer network to access a dynamic pricing system, the software comprising instructions to cause a computer system to present a user interface abstraction that displays dynamic pricing information collected from a plurality of sources on the computer network and displays an interactive visual indication of a user-attractive resource available on the computer network (page 1, paragraphs 5, 7, 9 and 11; and page 2, paragraph 3).

HFD does not expressly teach providing an incentive, independent of the dynamic pricing information, to use the modular computer program. However, Net Nanny discloses this limitation as discussed under claim 1 above.

HFD and Net Nanny do not expressly teach (1) a scrolling stream display, and (2) "wherein the interactive visual indication of the user-attractive resource is visually embedded within the scrolling stream of dynamic pricing information displayed by the modular computer program." However, Robb overcomes this deficiency as discussed under claim 1 above.

**Claim 6 is rejected under 35 U.S.C. 103(a) as being unpatentable over HFD
and Net Nanny in view of Robb and Sadowsky (US 6,123,737).**

Regarding claim 6, HFD and Net Nanny teach all the limitations discussed under
claim 1. HFD and Net Nanny do not expressly teach distributing the modular computer
program by pushing a copy of the modular computer program to one or more users of
the computer network (page 1, paragraph 2). However, Sadowsky teaches a method
for the automatically distributing software using push technology. At the time of
Applicants' invention, it would have been obvious to one of ordinary skill in the art, to
modify HFD and Net Nanny to include the teachings of Sadowsky in that distributing the
modular computer program by pushing a copy of the modular computer would enable
HFD's dealer customers to automatically receive pricing software updates.

**Claims 12, 33 and 55 are rejected under 35 U.S.C. 103(a) as being
unpatentable over HFD in view of Net Nanny, Robb and Official Notice.**

Regarding claims 12, 33 and 55, HFD and Net Nanny teach all the limitations
discussed under claims 11, 32 and 49. HFD and Net Nanny do not expressly teach a
method or system wherein the user can selectively view different levels of the
taxonomy. However, the Examiner takes Official Notice that providing a taxonomy,
such as a browsing hierarchy, is old and well known. Therefore, at the time of
Applicants' invention, it would have been obvious to one of ordinary skill in the art, to

modify HFD and Net Nanny to include providing users the ability to selectively view different levels of the taxonomy. The benefit of this combination would be to enable users to more easily locate pricing information.

Claims 10, 11, 32 and 54 are rejected under 35 U.S.C. 103(a) as being unpatentable over HFD in view of Net Nanny, Robb and Martyn et al. (US 6,195,647) ("Martyn").

Regarding claim 10, HFD and Net Nanny teach all the limitations discussed under claim 1. HFD and Net Nanny do not expressly teach causing the modular computer program to display a stream of dynamic pricing information collected from the computer network. However, Martyn discloses displaying dynamic pricing information in ticker format (Abstract; and col. 2, lines 38-43). At the time of Applicants' invention, it would have been obvious to one of ordinary skill in the art, to modify HFD and Net Nanny to include Martyn's teaching of causing the modular computer program to display a stream of dynamic pricing information collected from the computer network. This combination would enable HFD's dealer customers to access the real-time pricing data on a continuous basis without human interaction.

Regarding claims 11, 32 and 54, HFD and Net Nanny teach all the limitations discussed under claims 1, 27 and 49. HFD and Net Nanny do not expressly teach teach a method or system wherein the dynamic pricing information that is displayed varies based on user input. However, Martyn discloses a computer system for displaying dynamic pricing information wherein a user is permitted to modify the display

setup according to a custom configuration (Abstract). At the time of Applicants

invention, it would have been obvious to one of ordinary skill in the art to modify HFD

and Net Nanny to include Martyn's teaching of varying the display of dynamic pricing

information based on user input. This combination would allow users to select and/or

emphasize the most relevant pricing information.

Claims 2, 5, 9, 13-15, 21, 28, 31, 34-36, 42, 50, 53, 56-58 and 64 are rejected

under 35 U.S.C. 103(a) as being unpatentable over HFD in view of Net Nanny,

Robb and Ng (Ng, M. *Tool Time, Travel Agent*, (August 7, 1997) p. 68).

Regarding claim 9, HFD and Net Nanny teach all the limitations discussed under

claim 1. HFD and Net Nanny do not explicitly teach distributing the modular computer

program by sending it to a user of the computer network through an instant messaging

system. However, this limitation is well-known in the art. By modifying the teachings of

HFD to include distributing the modular computer program by sending it to a user of the

computer network through an instant messaging system, one of ordinary skill in the art

would be permitted to instantly notify the user of the computer network that the modular

computer program had been transmitted to him by email. Moreover, distributing the

modular computer program by sending it to a user of the computer network through an

instant messaging system would provide a heightened awareness of the modular

computer program thereby increasing the user's interest.

Regarding claim 14, 35 and 57, HFD and Net Nanny teach all the limitations

discussed under claims 1, 27 and 49. HFD and Net Nanny do not expressly teach a

method or system wherein the interactive visual indication comprises an interactive link

to the user-attractive resource. However, this limitation is well-known in the art. By

modifying the teachings of HFD to include a method or system wherein the interactive

visual indication comprises an interactive link to the user-attractive resource, one of

ordinary skill in the art would be permitted to quickly and accurately direct the user of

the computer network to the user-attractive resource.

Regarding claim 15, HFD and Net Nanny do not explicitly teach a method

wherein the interactive link comprises a uniform resource locator (URL) tag. However,

this limitation is taught by well-known principles in the art as discussed under claims 36

and 58 above.

Regarding claims 2, 28 and 50, HFD and Net Nanny teach all the limitations

discussed under claims 1, 27 and 49. HFD and Net Nanny do not explicitly teach a

modular computer program comprising a java-based applet. However, Ng teaches this

limitation (page 1, paragraph 3). At the time of the applicant's invention, it would have

been obvious to one of ordinary skill in the art to modify the teachings of HFD to include

a modular computer program comprising a java-based applet as taught by Ng. One of

ordinary skill in the art would have been motivated to modify the teachings of HFD to

include a modular computer program comprising a java-based applet because this

would facilitate the collection of user data.

Regarding claims 5, 31, and 53, HFD and Net Nanny teach all the limitations

discussed under claims 1, 27 and 48. HFD and Net Nanny do not expressly teach a

computer network comprising a virtual private network. However, Ng teaches this

limitation (page 1, paragraph 2). At the time of the applicant's invention, it would have

been obvious to one of ordinary skill in the art to modify the teachings of the HFD

article, to include a computer network comprising a virtual private network as taught by

Ng. One of ordinary skill in the art would have been motivated to modify the teachings

of HFD to include a computer network comprising a virtual private network as taught by

Ng because this would permit the applicant's system and method to be used in private

network environments thereby expanding the potential market for applicant's method

and system.

Regarding claims 13, 34 and 56, HFD and Net Nanny teach all the limitations

discussed under claims 1, 27 and 48. HFD and Net Nanny do not expressly teach a

method or system wherein the interactive visual indication comprises a glyph. However,

Ng teaches this limitation (page 1, paragraph 7). At the time of the applicant's

invention, it would have been obvious to one of ordinary skill in the art to modify the

teachings of the HFD article, to include a method or system wherein the interactive

visual indication comprises a glyph as taught in Ng. One of ordinary skill in the art

would have been motivated to modify the teachings of the HFD article, to include a

method or system wherein the interactive visual indication comprises a glyph because

this would concisely convey information concerning the interactive visual indication.

Regarding claims 21, 42 and 64, HFD and Net Nanny teach all the limitations

discussed under claims 1, 27 and 48. HFD and Net Nanny do not expressly teach

providing a user with access to the user-attractive resource upon sensing that the user

selected the interactive visual indication. However, Ng teaches this limitation (page 1,

paragraph 7). At the time of the applicant's invention, it would have been obvious to one of ordinary skill in the art, to modify the teachings of HFD, to include providing a user with access to the user-attractive resource upon sensing that the user selected the interactive visual indication. By modifying HFD to include providing a user with access to the user-attractive resource upon sensing that the user selected the interactive visual indication as taught in Ng, one of ordinary skill in the art would be able to provide the user with additional information by using a visual indication as a trigger. Consequently, the method and/or system of the applicant's invention would be able to display pricing information without cluttering its display with additional information that is of no interest to the user.

Regarding claims 36 and 58, HFD, Net Nanny and Ng teach all the limitations discussed under claims 34 and 56. HFD, Net Nanny and Ng do not expressly teach the use of an interactive link comprising a uniform resource locator (URL) tag. However, it is notoriously well known in the art that interactive links often comprise a URL tag. Thus, at the time of the applicant's invention, it would have been obvious to one of ordinary skill in the art to modify the teachings of HFD to include a method wherein the interactive link comprises a uniform resource locator (URL) tag in order to inform the user of the address to which the interactive link corresponds.

Claims 8, 23, 24, 44 and 66 are rejected under 35 U.S.C. 103(a) as being unpatentable over HFD in view of Net Nanny, Robb and Samit (Samit, M. *Letting Prospects Sell Themselves, Marketing Computers* (April 1997), p. 73).

Regarding claim 8, HFD teaches all the limitations discussed under claim 1. HFD does not expressly teach distributing the modular computer program by sending it to a user of the computer network through an electronic mail system. However, Samit teaches this limitation (page 1, paragraph 5). At the time of the applicant's invention, it would have been obvious to one of ordinary skill in the art to modify the teachings of the HFD article, to include the distributing the modular computer program by sending it to a user of the computer network through an electronic mail system as taught by Samit. One of ordinary skill in the art would have been motivated to modify the teachings of the HFD article, to include distributing the modular computer program by sending it to a user of the computer network through an electronic mail system as taught in Samit because this would allow the modular computer program to be distributed to the user of the computer network quickly. Morevover, by modifying the teachings of HFD to include distributing the modular computer program by sending it to a user of the computer network through an electronic mail system would reduce costs in that manufacturing and postage costs would be eliminated.

Regarding claims 23, 44 and 66, HFD and Net Nanny teach all the limitations discussed under claims 1, 27 and 48. HFD and Net Nanny do not explicitly teach a method or system wherein a plurality of instances of the modular computer program are presented to a user concurrently. However, Samit teaches this limitation (page 1, paragraph 5; and page 2, paragraph 1). At the time of the applicant's invention, it would have been obvious to one of ordinary skill in the art to modify the teachings of the HFD article, to include a method or system wherein a plurality of instances of the modular

computer program are presented to a user concurrently as taught in Samit. By

modifying the teachings of HFD to include a method or system wherein a plurality of

instances of the modular computer program are presented to a user concurrently, one

of ordinary skill in the art would be permitted to present a variety of modular computer

programs to the user thereby increasing the likelihood that the user will be presented

with a modular computer program that is of interest to the user.

Regarding claim 24, HFD further teaches a method wherein the modular

computer program includes one or more associated visual indications of a user-

attractive resource available on the computer network (page 1, paragraphs 2 and 7; and

page 2, paragraph 4).

Claims 25, 26, 46 and 47 are rejected under 35 U.S.C. 103(a) as being

unpatentable over HFD in view of Net Nanny, Robb, Samit and further in view of

Gardenswartz et al. (US 6,055,573).

Regarding claims 25 and 46 HFD, Net Nanny and Samit teach all the limitations

discussed under claims 24 and 44. HFD, Net Nanny and Samit do not expressly teach

a method or system wherein each of the one or more visual indications can be the same

as or different from the visual indications on other instances of the modular computer

program. However, Gardenswartz et al. teach this limitation (col. 10, lines 24-30; and

col. 11, lines 3-8 and 20-23). By modifying the teachings of HFD, Net Nanny and Samit,

to include a method or system wherein each of the one or more visual indications can

be the same as or different from the visual indications on other instances of the modular

computer program as taught in Gardenswartz et al., one of ordinary skill in the art would

be permitted to mix and match modular computer programs and visual indications

according to the users' preference or frequency of selection of a particular visual

indication.

Regarding claims 26 and 47, HFD, Net Nanny and Samit teach all the limitations

discussed under claims 24 and 44. HFD, Net Nanny and Samit do not teach a method

or system wherein each of the one or more visual indications can correspond to the

same or different user attractive resources as the visual indications on other instances

of the modular computer program. However, this limitation is taught by Gardenswartz et

al. (col. 10, lines 24-30; and col. 11, lines 3-8 and 20-23). By modifying the teachings of

HFD and Samit, to include a method or system wherein each of the one or more visual

indications can correspond to the same or different user attractive resources as the

visual indications on other instances of the modular computer program as taught by

Gardenswartz et al., one of ordinary skill in the art would be permitted to customize the

one or more modular computer program(s) according to user demand for a particular

user-attractive resource.

Claims 16, 17, 37, 38, 59 and 60 are rejected under 35 U.S.C. 103(a) as being

unpatentable over HFD in view of Net Nanny, Robb and Donaldson (Donaldson, D.

***Netting sales - use of Internet in retail trade, Do-It-Yourself Retailing,* Vol. 176, no.**

1 (January 1999) p. 55).

Regarding claims 16, 37 and 59, HFD and Net Nanny teach all the limitations discussed under claims 14, 27 and 48. HFD and Net Nanny do not expressly teach a method or system wherein the user-attractive resource comprises a contest. However, Donaldson teaches this limitation (page 1, paragraph 10). At the time of the applicant's invention, it would have been obvious to one of ordinary skill in the art to modify the teachings of the HFD article, to include a method or system wherein the user-attractive resource comprises a contest as taught by Donaldson. One of ordinary skill in the art would have been motivated to modify the teachings of HFD to include a method or system wherein the user-attractive resource comprises a contest in order to provide users with an additional incentive to utilize the method and/or system claimed by the applicant.

Regarding claims 17, 38 and 60, HFD and Net Nanny teach all the limitations discussed under claims 1, 27 and 48. HFD and Net Nanny do not expressly teach a method or system wherein the user-attractive resource comprises a reward program. However, Donaldson teaches this limitation (page 1, paragraph 10). At the time of the applicant's invention, it would have been obvious to one of ordinary skill in the art, to modify the teachings of the HFD article, to include a method or system wherein the user-attractive resource comprises a reward program in order to encourage users to utilize the method and/or system claimed by the applicant.

Claims 18, 39 and 61 are rejected under 35 U.S.C. 103(a) as being

unpatentable over HFD in view of Net Nanny, Robb and Kay (Kay, E. *Flexed*

***Pricing, Datamation,* Vol. 44, no. 2 (February 1998) p. 58).**

Regarding claims 18, 39 and 61, HFD and Net Nanny teach all the limitations

discussed under claims 1, 27 and 48. HFD and Net Nanny do not expressly teach a

method or system wherein the user attractive resource comprises a coupon. However,

Kay teaches this limitation (page 1). At the time of the applicant's invention, it would

have been obvious to one of ordinary skill in the art to combine the teachings of the

HFD article, to include a method or system wherein the user attractive resource

comprises a coupon as taught by Kay. By modifying the teachings of HFD to include a

method or system wherein the user attractive resource comprises a coupon, one of

ordinary skill in the art would be permitted to provide users with a discount thereby

encouraging users to utilize the method and/or system claimed by the applicant.

Claims 19, 40 and 62 are rejected under 35 U.S.C. 103(a) as being

unpatentable over HFD in view of Net Nanny, Robb and Woods (Woods, B. *Web*

***Marketplace – Halsey Minor keynote, Newsbytes,* (April 12, 1996)).**

Regarding claims 19, 40 and 62, HFD and Net Nanny teach all the limitations

discussed under claims 1, 27 and 48. HFD and Net Nanny do not expressly teach a

method or system wherein the user-attractive resource comprises an advertisement.

However, Woods teaches this limitation (page1, paragraphs 2 and 5). At the time of the

applicant's invention, it would have been obvious to one of ordinary skill in the art to

modify the teachings of the HFD article, to include a method or system wherein the user-attractive resource comprises an advertisement in order to encourage user demand for the item or service depicted in the advertisement.

Claims 20, 41 and 63 are rejected under 35 U.S.C. 103(a) as being unpatentable over HFD in view of Net Nanny, Robb and Krantz (Krantz, M. *Custom-Designed Ads, Marketing Computers*, Vol. 0, no. 0 (October 1993) p. 8).

Regarding claims 20, 41 and 63, HFD and Net Nanny teach all the limitations discussed under claims 1, 27 and 48. HFD and Net Nanny do not expressly teach a method or system wherein the user-attractive resource comprises a multi-media presentation. However, Krantz teaches this limitation (page 1, paragraphs 2 and 3). At the time of the applicant's invention, it would have been obvious to one of ordinary skill in the art to modify the teachings of the HFD article, to include a method or system wherein the user-attractive resource comprises a multi-media presentation as taught by Krantz. By modifying the teachings of HFD to include a method or system wherein the user-attractive resource comprises a multi-media presentation, one of ordinary skill in the art would have been permitted to convey information to the user in a movie format thereby capturing the attention of the user.

Claims 22, 43, 45 and 65 are rejected under 35 U.S.C. 103(a) as being unpatentable over HFD in view Net Nanny, Robb and Kramer (Kramer, S. D. *More*

***MSOs Use Web sites But How Well, Multichannel News,* Vol. 20, no. 25 (June 14, 1999) p. 40).**

Regarding claims 22, 43 and 65, HFD and Net Nanny teach all the limitations discussed under claims 1, 43 and 48. HFD and Net Nanny do not expressly teach a method or system wherein the modular computer program displays dynamic pricing information in a ticker display format. However, Kramer teaches this limitation (page 3, paragraph 8). At the time of the applicant's invention, it would have been obvious to one of ordinary skill in the art to modify the teachings of HFD, to include a method or system wherein the modular computer program displays dynamic pricing information in a ticker display format in order to provide the user with up-to-date pricing information.

Regarding claim 45, HFD further teaches a system wherein the modular computer program includes one or more associated visual indications of a user-attractive resource available on the computer network (page 1, paragraphs 2 and 7; and page 2, paragraph 4).

Conclusion

Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL.** See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within

Application/Control Number: 09/422,339

Art Unit: 1648

TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the date of this final action.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Tim Brown whose telephone number is (571) 272-0773. The examiner can normally be reached on Monday - Friday, 8am - 5pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, James Housel can be reached on (571) 272-0902. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see http://pair-direct.uspto.gov. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

Tim Brown
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